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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

REGINALD SMITH,

Plaintiff,

No. CIV S-06-2340 GEB DAD P

vs.

NAKU, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. On April 28, 2010, defendant Naku filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. Similarly, on May 26, 2010, defendants Noriega and McMasters filed their motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. Plaintiff has not opposed either motion.

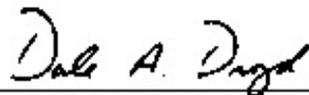
Local Rule 230(l) provides in part: “Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion” On August 5, 2008, plaintiff was advised of the requirements for filing an opposition to the motion and that failure to oppose such a motion may be deemed a waiver of opposition to the motion.

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1 Local Rule 110 provides that failure to comply with the Local Rules “may be
2 grounds for imposition of any and all sanctions authorized by statute or Rule or within the
3 inherent power of the Court.” In the order filed on August 5, 2008, plaintiff was advised that
4 failure to comply with the Local Rules may result in a recommendation that the action be
5 dismissed.

6 Good cause appearing, IT IS HEREBY ORDERED that, within thirty days of the
7 date of this order, plaintiff shall file his opposition, if any, to defendant Naku’s April 28, 2010
8 motion for summary judgment and defendants Noriega and McMasters’ May 26, 2010 motion for
9 summary judgment. Failure to file an opposition will be deemed as a statement of non-
10 opposition and shall result in a recommendation that this action be dismissed pursuant Federal
11 Rule of Civil Procedure 41(b).

12 DATED: July 6, 2010.

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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